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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 JACQUES LANIER,

13 Defendant.

Case No. 2:19-cr-00327-GMN-VCF

STIPULATION TO CONTINUE THE
EVIDENTIARY HEARING FOR
DEFENDANT'S MOTION TO DISMISS
INDICTMENT (FIRST REQUEST)

14
15 IT IS HEREBY STIPULATED AND AGREED, by and between CHRISTOPHER
16 CHIOU, Acting United States Attorney, and BIANCA R. PUCCI and CHRISTOPHER
17 BURTON, Assistant United States Attorneys, counsel for the United States of America, and
18 CHRISTOPHER ORAM, ESQ., and NANCY LEMCKE, ESQ., counsel for Defendant
19 JACQUES LANIER, that the evidentiary hearing currently scheduled for July 21, 2021, at
20 10:00 a.m., be vacated and continued to a date and time to be set by this Honorable Court but
21 no sooner than forty (40) days.¹

22 This stipulation is entered into for the following reasons:

23
24 ¹ Defense counsel has indicated they expect to be in trial in a State case charging murder on the week of August 23, 2021, and so the parties request the evidentiary hearing in this matter be scheduled after that week.

1. Counsel for both parties need additional time to review discovery and conduct investigation in this case to prepare for the evidentiary hearing.

2. The parties agree to the continuance.

3. The defendant is currently detained and does not object to a continuance.

4. The additional time requested herein is not sought for purposes of delay, but to allow counsel for both parties sufficient time within which to be able to effectively and complete investigation in preparation for the evidentiary hearing.

5. The additional time requested by this Stipulation does not effect the currently scheduled trial date, but is nonetheless excusable in computing the time within which a trial must commence pursuant to the Speedy Trial Act, Title 18, United States Cody, Sections 3161(h)(1)(D) and 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

6. This is the first stipulation to continue the evidentiary hearing filed herein.

DATED this 12th day of July, 2021.

Respectfully submitted,
CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Christopher Oram
CHRISTOPHER ORAM, ESQ.
NANCY LEMCKE, ESQ.
Counsel for Defendant
JACQUES LANIER

/s/ Christopher Burton
 BIANCA R. PUCCI
 CHRISTOPHER BURTON
 Assistant United States Attorneys

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACQUES LANIER,

Defendant.

Case No. 2:19-cr-00327-GMN-VCF

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for both parties need additional time to review discovery and conduct investigation in this case to prepare for the evidentiary hearing.
2. The parties agree to the continuance.
3. The defendant is currently detained and does not object to a continuance.
4. The additional time requested herein is not sought for purposes of delay, but to allow counsel for both parties sufficient time within which to be able to effectively and complete investigation in preparation for the evidentiary hearing.
5. The additional time requested by this Stipulation does not effect the currently scheduled trial date, but is nonetheless excusable in computing the time within which a trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(D) and 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).
6. This is the first stipulation to continue filed herein.

1 For all of the above-stated reasons, the ends of justice would best be served by a
2 continuance of the evidentiary hearing date.

3 **CONCLUSIONS OF LAW**

4 There is good cause in continuing the evidentiary hearing and the ends of justice served
5 by granting said continuance outweigh the best interest of the public and the defendant, since
6 the failure to grant said continuance would be likely to result in a miscarriage of justice, would
7 deny the parties herein sufficient time and the opportunity within which to be able to effectively
8 and thoroughly prepare for the evidentiary hearing, taking into account the exercise of due
9 diligence.

10 The continuance sought herein is excusable under the Speedy Trial Act, Title 18, United
11 States Code, Sections 3161(h)(1)(D) and 3161(h)(7)(A), considering the factors under Title 18,
12 United States Code, Section 3161(h)(7)(B)(i) and (iv).

13 **ORDER**

14 IT IS FURTHER ORDERED that the evidentiary hearing currently scheduled for July
15 21, 2021, at the hour of 10:00 a.m., be vacated and continued to September 3, 2021, at the hour
16 of 11:00 am.

17 DATED 13th day of July, 2021.



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19 THE HONORABLE CAM FERENBACH
20 UNITED STATES MAGISTRATE JUDGE
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